IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4743 OF 2004

M/s.Krishna Packers ... Petitioner

V/s.

1. The Assistant Provident Fund Commissioner & Ors. ... Respondents

Mr.V.P. Vaidya for Petitioner
Mr.V.R. Mishra h/f A.K. Singh for Respondent Nos.1 to 3
Mr.M.S. Karnik for Respondent No.4

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 24, 2004**

P.C.:

. The Petitioner has challenged the notice issued under section 7A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952. An amount of Rs.75,000/- claimed under this notice has already been deposited by the Petitioner in this Court. The present petition has been entertained only because there is no Member appointed to preside over the Appellate Tribunal constituted under the Employees Provident Fund and Miscellaneous Provisions Act. The appeal has already been filed by the Petitioner on 13.4.2004 but since there was no Presiding Officer, the Petitioner had to rush to this Court.

2. In view of the deposit made in this Court,

nothing really survives in this Petition. The deposit made shall be invested by the Registrar General of this Court in a nationalised bank initially for a period of three years, to be renewed thereafter till appropriate orders are obtained from the Tribunal.

3. The stay granted earlier will continue till such time as the Appellate Tribunal passes appropriate orders on the stay application filed by the Petitioner.

4. Writ Petition is disposed of accordingly.